

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

JESSE ALMENDAREZ,

Defendant

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Case No. 13-130

ORDER OF COURT

The Court previously entered an Order on November 13, 2014, finding that the Defendant was mentally incompetent to the extent that he was unable to assist properly in his defense. On July 7, 2015, we entered an Amended Order extending the period of evaluation to October 6, 2015.

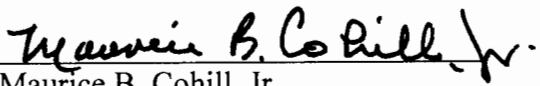
The mental health facility to which Defendant has been assigned for psychological evaluation and treatment under 18 U.S.C. § 4241(d) has reported to the Court that the Defendant currently remains not competent to proceed to trial, but requests permission to involuntarily treat Defendant with psychotropic medications pursuant to Sell v. United States, 539 U.S. 166 (2003), in order to restore him to competency.

We held a status conference October 6, 2015, at which defense counsel requested that we not set a Sell hearing until counsel has had sufficient time to obtain a medical expert to assist counsel at a hearing regarding involuntarily medicating Defendant. The Court granted this request. We further find that an extension of time allowing the mental health facility to continue to treat, observe, and evaluate Defendant prior to the hearing is in the interest of justice.

Accordingly, the following Order is hereby entered.

AND NOW, to-wit, this 7th day of October, 2015, it is hereby **ORDERED**,
ADJUDGED and **DECREED** that the Defendant having been committed for hospitalization and treatment on April 27, 2015, and having arrived at a suitable facility on June 9, 2015, and the evaluation and treatment time period having been extended to October 6, 2015, and being that a Sell hearing on involuntarily medicating Defendant is required, we hereby extend the evaluation and treatment period for a reasonable period, not to exceed February 8, 2016, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the trial to proceed.

All other terms and conditions of the Court's April 27, 2015 Renewed Order of Court remain in full force and effect.


Maurice B. Cohill, Jr.
Senior United States District Court Judge